



State of New Jersey

Chris Christie
Governor

Kim Guadagno
Lt. Governor

Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement
1300 Atlantic Avenue
Atlantic City, NJ 08401

Paula T. Dow
Attorney General

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Acting Director

December 6, 2011

Leo Previti, Esq.
IGT
403 Westcoat Road
Egg Harbor Township, NJ 08234

Tama Hughes, Esq
Vice President, Corporate Counsel
Tropicana Atlantic City Casino and Resort
Brighton and The Boardwalk
Atlantic City, NJ 08401
RE: Petition of IGT and Tropicana for a Declaratory Ruling
PRN 2771106

Dear Ms Hughes and Mr Previti:

IGT and Tropicana have filed a petition with the Division of Gaming Enforcement ("Division") for a declaratory ruling regarding the identification presented by a patron who on August 6, 2011 won a multi-casino progressive jackpot operated by IGT at Tropicana. The cash payout of the jackpot would be approximately \$79,000. The jackpot claimant, Hector Martinez, was asked to provide identification. A casino must obtain identification to comply with several facets of New Jersey law as well as to comply with federal laws regarding income taxes and the filings casinos are required to make when jackpots above \$10,000 are won.

The claimant has thus far failed to produce identification with a picture issued by a state or federal governmental agency such as a driver's license or passport. Mr. Martinez has produced a copy of a birth certificate for a Hector Martinez, born March 11, 2010.



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Such document lists the paternity of Hector Martinez and states that Orlando Martinez, born in Honduras on August 8, 1985 is the father of Hector Martinez. The claimant indicates that he is the person listed as the father and that he has a birth date of August 8, 1985, which would make him of legal age to be awarded the jackpot in question. Tropicana and IGT are requesting a declaratory ruling as to whether the identification presented is sufficient to permit them to pay the jackpot in question.

N.J.S.A. 5:12-119 makes it illegal for anyone under twenty one years of age to wager in an Atlantic City casino. Casinos who allow anyone to violate this provision are subject to civil penalties. N.J.S.A. 5:12-71 and -71.2 require the Division to maintain lists of persons excluded from casino gaming. Casinos are also fined for violating these provisions. N.J.S.A. 5:12-100.2 requires a casino to report to the Division the identity of any annuity jackpot winner to ensure that such winner does not have outstanding child support obligations. N.J.S.A. 5:12-71.3 requires the forfeiture of gaming proceeds from any prohibited person found to be wagering. The Division's own regulations on identification requirements when accepting an application for licensure or registration, set forth at N.J.A.C. 13:69A-7.2A, require a form of Photo identification issued by a governmental agency.

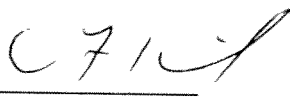
Accordingly, it is the position of the Division that the form of identification presented by the jackpot claimant is not sufficient for Tropicana or IGT to avoid potential liability for failing to prevent a prohibited person from gaming or to carry out its duties with regard to ensuring that child support obligations of annuity jackpot winners are met. It is also insufficient for the casino and slot system operator to ensure that they are in compliance with federal tax laws. The identification required to be produced must conform to the Division's own regulations on identification. Otherwise the casino is subject to prosecution by the Division. Payment of an annuity jackpot, even if a cash option is selected by the winner, requires that the casino and slot system operator obtain proper identification from the patron. The form of identification presented by this claimant is also not sufficient to avoid a claim of forfeiture of the jackpot.

Thank you for your attention to this matter.

Very truly yours,

DAVID REBUCK
DIRECTOR

By:


Charles F. Kimmel
Deputy Attorney General